

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

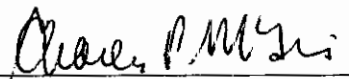
UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL NO. 04-10156 WGY
	)	
JOHN CHU	)	
	)	

DEFENDANT'S OBJECTION TO GOVERNMENT'S  
FAILURE TO ADEQUATELY REDACT STATE DEPARTMENT DOCUMENT

As the Court is aware, the proposed State Department document relating to the United States Munitions List refers both to TWT and, in multiple references, to power converters. The government intends to submit the disputed certificate with pieces of papers taped over the references to power converters. These references can be read in two ways: by lifting the taped paper or by holding the document to the light. Since the jury will be told to scrutinize the document (the Court has indicated it would say to the jury that it is up to them to decide what the document means), the document will surely be reviewed closely. Where the absence of a date on the document is important, the jury will ponder whether the date or other relevant text lies under the conspicuously-taped section. The unfair prejudice is plain. FRE 402, 403.

Defendant has attached a redacted version. While it is plainly a copy, the jury could be told that it is a copy and, as such, deserves the same consideration as an original. The government would lose only the splendor of a golden emboss. It would not get the unfairly prejudicial benefit of a now-stricken assertion that power converters too were under the USML. See FRE 403.

JOHN CHU  
By his attorney,

  
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CERTIFICATE OF SERVICE

I, Charles P. McGinty, hereby certify that a true copy of the above document was served upon Assistant United States Attorney Gregory Moffatt by delivery on September 12, 2005.

Charles P. McGinty